

UNITED STATES DISTRICT COURT

for the

District of Northern Mariana Islands

FILED
Clerk
District Court

MAY 05 2021

for the Northern Mariana Islands
By [Signature]
(Deputy Clerk)

Case No. MC 10-00072

In the Matter of the Search of)

(Briefly describe the property to be searched
or identify the person by name and address))Premises described as the CNMI Department of Public Safety
building, a two-story building situated on the Southern side of
Tekken Street across from the Guma Justicia, in Susupe,
Saipan, CNMI, and any closed containers therein.)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the _____ District of the Northern Mariana Islands (identify the person or describe property to be searched and give its location):

Premises described as the CNMI Department of Public Safety building, a two-story building situated on the Southern side of Tekken Street across from the Guma Justicia, in Susupe, Saipan, CNMI, and any closed containers therein

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized): Sig Sauer P226 semi-automatic handgun formerly issued to former CIB Detective [REDACTED]

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The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

For The Northern Mariana Islands
By [Signature]
(Deputy Clerk)

The search is related to a violation of 18 U.S.C. § 242, and the application is based on these facts:

See attached Affidavit in Support of a Search Warrant by Special Agent Sharon Huber, Federal Bureau of Investigation, incorporated herein by reference.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

[Signature]
Applicant's signatureSharon A. Huber Special Agent FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 11/19/2010

City and state: Saipan

[Signature]
Judge's signatureMARK W. BENNETT U.S. DISTRICT COURT
Printed name and title JUDGE

ORIGINAL

**UNITED STATES DISTRICT COURT
NORTHERN MARIANA ISLANDS**

IN THE MATTER OF THE SEARCH OF)	Case No.
The CNMI Department of Public Safety)	
Building, a two-story building located on the)	AFFIDAVIT IN SUPPORT OF A
Southern side of Tekken Street, across from the)	SEARCH WARRANT
Guma Justicia, in Susupe village,)	
SAIPAN, CNMI, and any closed containers therein.))	
_____)	

I, Sharon A. Huber, a Special Agent with the Federal Bureau of Investigation (FBI),
being duly sworn, depose and state as follows:

1. Your Affiant has been employed as a Special Agent of the FBI since June of 2002, and is currently assigned to the Honolulu Field Office, Saipan Resident Agency. Prior to joining the FBI, your Affiant was a police officer with the United States Capitol Police for seven years. Since joining the FBI, I have investigated violations of federal law related to civil rights, public corruption, child pornography, crimes against children and violent street gangs. I have gained experience through training in classes, and everyday work related to conducting these types of investigations.

2. As a federal agent, your Affiant is authorized to investigate violations of laws of the United States and is a law enforcement officer with the authority to execute warrants issued under the authority of the United States. As a result of my training and experience, I am familiar with police officers using excessive force and violating citizen's civil rights.

3. This affidavit is submitted in support of an application for a search warrant for the premises of the CNMI Department of Public Safety's armory and offices, located in Susupe, on Tekken Street, across the street from the Guma Justicia, to locate

and seize the police-issued Sig Sauer P226 assigned to former CNMI DPS Detective [REDACTED] .

4. The statements contained in this Affidavit are based on my experience and background as a Special Agent and on information provided by other law enforcement agents. I have not set forth every fact resulting from the investigation; rather, I have included only that information necessary to establish probable cause to conduct a search of the above-described premises for the described weapon used in connection with violations of Title 18, United States Code, Sections 242, Deprivation of Rights Under Color of Law.

5. For the reasons set forth below, your Affiant respectfully submits that this affidavit contains ample probable cause to believe that the premises will contain evidence and instrumentalities of violations of 18 U.S.C. §§ 242, namely the above-referenced Sig Sauer handgun.

PROBABLE CAUSE TO SEARCH FOR THE WEAPON

6. On October 18, 2010, at approximately 10:30pm, a search warrant and an arrest warrant were executed on the 2 apartment rooms of [REDACTED] located at the first apartment complex on your left as you enter the paved road leading to the LP Gas Company in As Lito, Saipan.

7. At some point during the execution of the warrants, then-DETECTIVE [REDACTED] came into contact with the victim, [REDACTED], a Chinese male.

8. According to his statement, which was taken with the aid of a Mandarin-speaking interpreter, [REDACTED] was bringing two bowls of food back to his residence from the kitchen of his second floor apartment when he was told to stop by two individuals on the ground holding

flashlights. [REDACTED] stopped and was then confronted by an unidentified male in plain clothes, with a gun. [REDACTED] alleges that the unidentified male shouted "Down, down!" and [REDACTED] said he complied, crouching down with a bowl of food in each hand. The man then hit him on the head with the butt of his gun and kicked him repeatedly in his side.

20. As a result of this confrontation, [REDACTED] suffered two lacerations on his head which necessitated 8 staples. When interviewed on October 28, 2010, [REDACTED] said he was still dizzy, had headache and blurred vision, and difficulty walking without assistance.

21. The emergency room doctor who treated [REDACTED], stated that the injuries suffered by [REDACTED] could be consistent with being struck in the head with a handgun.

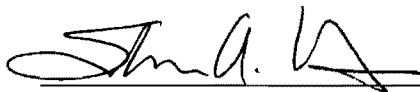
22. The reports filed by the Department of Public Safety show that former Detective [REDACTED] was the unidentified male who confronted [REDACTED] in front of his home on the night of October 18, 2010. [REDACTED] admits that it was his police issued Sig Sauer P226 that came in to contact with [REDACTED] head.

CONCLUSION

37. Based on the above information, there is probable cause to believe that on the premises described, [REDACTED]'s police-issued Sig Sauer P226 will be found, constituting evidence of violations of Title 18, United States Code, Section 242, Deprivation of Rights Under Color of Law.

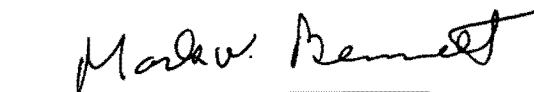
38. In consideration of the foregoing, your Affiant respectfully requests that the Court issue a warrant to search for the weapon in question and to seize the item specified.

Respectfully submitted,



Sharon A. Huber
Special Agent, FBI

Subscribed and sworn
before me this 19th of
November 2010


Designated US District Court Judge